

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 7/19/2021
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SANDRA BUTLER, RICKY GIBSON,	:	
O'BRIEN MORRIS, RICHARD EMMETT,	:	
ROSELLE DIAZ, KEVIN FAISON,	:	
SHANQUA JACKSON, CENTER FOR	:	
INDEPENDENCE OF THE DISABLED, NEW YORK:	:	
AND COALITION FOR THE HOMELESS,	:	
<i>for themselves and on behalf of all others similarly</i>	:	
<i>situated,</i>	:	15-CV-3783 (VEC)
	:	
Plaintiffs,	:	
	:	<u>ORDER</u>
-against-	:	
	:	
	:	
CITY OF NEW YORK, THE NEW YORK	:	
CITY DEPARTMENT OF HOMELESS	:	
SERVICES, STEVEN BANKS, <i>as</i>	:	
<i>Commissioner of the New York City Department of</i>	:	
<i>Homeless Services,</i>	:	
Defendants.	:	
	:	
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VALERIE CAPRONI, United States District Judge:

WHEREAS on July 8, 2021, Plaintiffs filed a motion for a temporary restraining order (“TRO”) and a preliminary injunction and a motion to enforce the Stipulation of Settlement in this matter, Dkt. 74;

WHEREAS on July 13, 2021, the parties appeared for a hearing on Plaintiffs’ motion; and

WHEREAS on July 13, 2021, Judge Woods, acting in his capacity as the Part I Judge, entered a TRO, which is set to expire on Tuesday, July 27, 2021, Dkt. 94;

IT IS HEREBY ORDERED that a hearing on Plaintiffs’ motion for a preliminary injunction will be held on **Monday, July 26, 2021 at 11:00 A.M.** The hearing will be held in

Courtroom 443 of the Thurgood Marshall United States Courthouse, located at 40 Foley Square, New York, New York 10007.

IT IS FURTHER ORDERED that Plaintiffs must file a supplemental brief, not to exceed 10 pages, by no later than **Wednesday, July 21, 2021 at 5:00 P.M.** The supplemental brief must include Plaintiffs' assessment of Defendants' implementation of the TRO, whether Plaintiffs object to the conversion of the TRO into a preliminary injunction, and whether they plan to call witnesses and introduce exhibits at the hearing. If Plaintiffs plan to call witnesses and introduce exhibits, Plaintiffs must include a witness and exhibit list. Plaintiffs must further attach a proposed preliminary injunction. The Court reminds Plaintiffs that the proposed preliminary injunction must comply with the requirements of Rule 65(d) of the Federal Rules of Civil Procedure, including that it be specific, narrowly tailored, and not reference any other document.

Defendants' response in opposition, not to exceed 10 pages, is due no later than **Thursday, July 22, 2021 at 5:00 P.M.** Defendants must include an assessment of the implementation of the TRO, provide data about the number of notices provided, the number of meetings held, and the number of persons to whom provisional and approved reasonable accommodations have been granted and denied, and attach copies of the provided notice and the script used by case managers. The brief must further include whether Defendants object to the conversion of the TRO into a preliminary injunction, any objections to Plaintiffs' proposed preliminary injunction, and whether Defendants plan to call witnesses and introduce exhibits at the hearing. If Defendants plan to call witnesses and introduce exhibits, Defendants must include a witness and exhibit list.

Plaintiffs' reply in support of their motion, not to exceed 5 pages, is due no later than **Friday, July 23, 2021 at 5:00 P.M.**


IT IS FURTHER ORDERED that per the SDNY COVID-19 COURTHOUSE ENTRY PROGRAM, any person who appears at any SDNY courthouse must complete a questionnaire and have his or her temperature taken. Please see the enclosed instructions. Completing the questionnaire ahead of time will save time and effort upon entry. Only those individuals who meet the entry requirements established by the questionnaire will be permitted entry. Please contact chambers promptly if you or your client do not meet the requirements.

IT IS FURTHER ORDERED that any person who appears at any SDNY courthouse must comply with Standing Order M10-468 (21-MC-164), which further pertains to courthouse entry.

IT IS FURTHER ORDERED that interested members of the public may attend by dialing 1-888-363-4749, using the access code 3121171 and the security code 3783. All of those accessing the hearing are reminded that recording or rebroadcasting of the proceeding is prohibited by law.

**SO ORDERED.**

**Date: July 19, 2021  
New York, NY**

  
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**VALERIE CAPRONI**  
**United States District Judge**